

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOE N. LOUIS,

Petitioner,

v.

RON VAN BOENING,

Respondent.

No. C06-1169RSL

ORDER DENYING PETITIONER'S
MOTION TO EXCLUDE EIGHTH
GROUND FOR RELIEF FROM
PETITION FOR WRIT OF HABEAS
CORPUS

This matter comes before the Court on "Petitioner's Motion to Exclude (8th) Ground from Habeas Corpus Under 28 U.S.C. Sec. 2254" (Dkt. #31). In his motion, petitioner concedes that he failed to exhaust the eighth ground for relief in his petition for writ of habeas corpus and requests an order dismissing the eighth ground for relief. In her Report and Recommendation, the Honorable Mary Alice Theiler, United States Magistrate Judge, determined that petitioner failed to exhaust his eighth ground for relief and barred it from federal habeas review. See Dkt. #30 at 4-6. On September 7, 2007, this Court adopted the Report and Recommendation, and accordingly, petitioner's motion (Dkt. #31) is now DISMISSED AS MOOT.

DATED this 7th day of September, 2007.



Robert S. Lasnik
United States District Judge

ORDER DISMISSING MOTION AS MOOT